



INTERCOUNTRY ADOPTION

NEW CONVENTION RULES FOR ADOPTIONS FROM THE UNITED STATES

The Intercountry Adoption Act of 2000 (IAA), the domestic legislation implementing the Convention, designates the Department of State as the U.S. Central Authority for the Convention and imposes new requirements for adoption service providers, prospective adoptive parents, and U.S. State adoption courts involved in outgoing cases.

- **Department of State as Central Authority in an Outgoing Convention Case:** The U.S. Department of State is the U.S. Central Authority (USCA) for the Convention. The Office of Children's Issues in the Department's Bureau of Consular Affairs has day-to-day responsibility for USCA functions.
- **Hague Adoption Certificates (HAC) and Hague Custody Declarations (HCD):** The Office of Children's Issues will adjudicate applications for HACs and HCDs which state that the adoption or grant of custody was completed in accordance with the Convention and the IAA. An application for a HAC or HCD must include:
 - ☑ The U.S. State Adoption court adoption or custody order finding that the child is eligible for adoption and that the adoption or grant of custody for purposes of adoption is in the child's best interests; and
 - ☑ Other documents as necessary to show the steps required by the Convention and 22 CFR § 97.3, have been followed, including: preparation of child background study; transmission of data on the child; reasonable efforts to find domestic placement; preparation and transmission of home study; authorization for the child to emigrate to and reside in the receiving country; consent to the adoption by foreign authorized entity; guardian and child counseling and consent; no unauthorized contacts prior to adoption; observance of the "no contact" rule; and no improper financial gain from activity related to the adoption.
- **Reasonable Efforts to Find a Domestic Placement:** Reasonable efforts must be made to actively recruit and make a diligent search for prospective parents to adopt the child in the United States before an outgoing adoption can be approved. The exception from the domestic prospective adoptive parent recruiting procedures for cases where the birth parent(s) have identified the prospective adoptive parent(s) applies only when an adoption service provider, or its agents, has not assisted the birth parent(s) in identifying the prospective adoptive parent(s).
- **Congressional Reports:** The Department must provide annual reports to Congress with information on intercountry adoption, including statistics on outgoing cases.
- **Adoption Service Providers in Convention Cases:** Only accredited, approved, supervised or exempt private providers can provide an adoption service in an outgoing Convention case. Adoption service providers in any outgoing adoption case, whether or not a Convention case, must report certain information on the child and the adoption to the Department regarding the adoption and emigration of the child.

Note: This document is not a substitute for the Hague Intercountry Adoption Convention, the Intercountry Adoption Act of 2000 (IAA), or its implementing regulations, nor is it a comprehensive summary of the regulations. In the case of any inconsistencies between this document and the Convention, the IAA, or the regulations, the language of the Convention, the IAA, or the regulations governs.

For more information please see our website at travel.state.gov
Or contact the U.S. Central Authority at AdoptionUSCA@state.gov

Office of Children's Issues



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